IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

Bail Appl..No. 673 of 2007()

CRIME NO.10/07 OF EAST POLICE STATION, KOLLAM

: PETITIONERS/ACCUSED

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1. PREMKUMAR, AGED 24 YEARS,
S/O. RAMACHANDRAN, VARUPUTHEN VEEDU,
PATTATHANAM, VADAKKEVILA VILLAGE,
KOLLAM.

2. RAMACHANDRAN, AGED 46 YEARS,
S/O. RAGHAVAN, VARUPUTHEN VEEDU,
PATTATHANAM, VADAKKEVILA VILLAGE, KOLLAM.

3. CHITRADEVI, AGED 50 YEARS,
VARUPUTHEN VEEDU, PATTATHANAM,
VADAKKEVILA VILLAGE, KOLLAM.

BY ADV. SRI.G.BHAGAVAT SINGH

RESPONDENT:

STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.
(CRIME NO.10 OF 2007 OF EAST POLICE
STATION, KOLLAM.)

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 673 OF 2007

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DATED THIS THE 6th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.1 to 3 in Crime No.10/07 of East Police Station, Kollam for an offence punishable under section 498A read with section 34 IPC, seek anticipatory bail.

2. The marriage between Mayadevi the de facto complainant and the first accused took place on 28.5.2006 and she has left the matrimonial home within a short span of six months in November, 2006. Her allegation in the complaint lodged before the Police was that her husband, the first accused, has been demanding a further amount of Rs.3 lakhs by way of dowry.

3. It is too early to accept the petitioners' contention that he has been falsely implicated in the case. I am, therefore, not inclined to grant anticipatory bail to the first accused. Regarding accused 2 and 3 who are the parents of the first accused, I am inclined to grant anticipatory bail to them. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release petitioners 2 and 3 on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to

the satisfaction of the said officer and subject to the following conditions:

1. Petitioners 2 and 3 shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners 2 and 3 shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners 2 and 3 shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners 2 and 3 shall not commit any offence while on bail.

5. Petitioners 2 and 3 shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If petitioners 2 and 3 commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

In the case of the first petitioner who is the first accused, I am inclined to permit him to surrender before the Investigating Officer for the purpose of interrogation and then have his application for regular bail ordered by the Magistrate. Accordingly, the first petitioner shall surrender before the Investigating Officer on any day between

7.2.2007 and 9.2.2007 for the purpose of interrogation. After interrogation, he shall be produced before the Magistrate having jurisdiction on the same day, who shall release him on bail on appropriate conditions.

This application is allowed in part as above.

V.RAMKUMAR,JUDGE.

dsn